

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.305 of 2024

Arising Out of PS. Case No.-286 Year-2021 Thana- KONCH District- Gaya

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Santosh Kumar @Ram Singar Das SON OF Ramishwar Das village-
chhatawan PS -Tekari District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Baby Devi SON OF Late Mirtunjay Das village -konch dih PS- Konch District -Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Durgesh Nandan, Advocate

For the Respondent/s : Mr. Binay Krishna, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

3 26-04-2024 Heard learned counsel for the appellant and learned
Special P.P. for the State.

2. The appellant has challenged the order dated 16.10.2023 passed by learned Exclusive Special Judge, SC/ST, Gaya in connection with Konch P.S. Case No. 286 of 2021 instituted for the offences punishable under Sections 302 and 120(B)/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(2)(v) of the SC/ST Act whereby his prayer for bail has been rejected.

3. As per the prosecution case, informant raised suspicion that the FIR named accused persons committed the murder of her husband.



4. Learned counsel for the appellant submits that the appellant has falsely been implicated in this case. He next submits that the appellant has got clean antecedent and he is in custody since 26.09.2023. Similarly situated co-accused has been granted anticipatory bail by this Court passed in Cr. Appeal (SJ) No. 2103 of 2022.

5. Learned Special P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant.

6. Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 16.10.2023.

7. Accordingly, this appeal is allowed.

8. The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with Konch P.S. Case No. 286 of 20241 .

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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